

STATE DRIVING BUSINESSES LICENSURE BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 9/23/2016

BOARD MEMBERS PRESENT: Robert M Fenn - Chair
Jason Jerome
Sally K Phillips
Theresa A Bradford

BOARD MEMBERS ABSENT: Lon A Pyper Sr.

BUREAU STAFF: Tana Cory, Bureau Chief
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Mitchell Toryanski, Legal Counsel

OTHERS PRESENT: Gideon Tolman, DFM
Mike Arnell
Mike Ryals

The meeting was called to order at 2:00 p.m. MDT by Robert M Fenn.

APPROVAL OF MINUTES

Ms. Phillips made a motion to approve the minutes of 7/19/2016. It was seconded by Mr. Jerome. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said that proposed law changes were due to the Governor's Office by August 1, and proposed rule changes were due to the Governor's Office by the third week in August for the 2017 Legislature. The Board's proposed laws and rules have been submitted to the Governor's Office and the Office of Administrative Rules. The rules will be published the first week of October.

FINANCIAL REPORT

Ms. Cory gave the financial report, which indicated that the Board had a cash balance of (\$1994.21) as of August 31, 2016.

INVESTIGATIVE REPORT

Ms. Peel presented a payment proposal for DRB-2016-1. Ms. Bradford made a motion to approve the request for the payment proposal. It was seconded by Mr. Jerome. Motion carried.

OLD BUSINESS

To Do List – The Board reviewed the to-do list and no action was taken.

Drafts of the proposed law changes were reviewed and discussed. Mr. Jerome made a motion to approve sending a postcard notifying licensees of the changes. It was seconded by Ms. Phillips. Motion carried.

Continuing Education (CE) Courses and duration of approval was discussed. Mr. Jerome made a motion to send a request to current approved CE providers to submit a current course agenda. The motion further stated that approval of courses will be for no more than five years, and that the course agenda should be submitted annually. It was seconded by Ms. Phillips. Motion carried.

The Board was updated on the transfer of student permit fees to the Board. Under Senate Bill No. 1120, lines 29-35 and current Idaho Code §49-307(2)(b), the five dollar (\$5.00) portion of third party commercial driver school permit fees are to be calculated and paid annually to the Bureau. To calculate such amount, the total number of permits that are submitted by the State Department of Education (SDE) shall be subtracted from the total number of permits sold by the Idaho Transportation Department (ITD) regardless if the student is enrolled in drivers' training through a public school or through a private driving school. The resulting number shall be multiplied by five dollars (\$5.00) and dispersed to the Bureau annually. Mr. Jerome made a motion to draft a letter to the (SDE) and Cc: ITD regarding the implementation and allocation of fees in accordance with the law. It was seconded by Ms. Phillips. Motion carried. The letter shall include that the Board believes (1) Idaho Code § 49-307 needs to be followed. (2) the Board would not have any objection if the sponsor of the bill wants to amend the law to direct where fees shall go for those permits that are issued and do not fall under the Department of Education or the Driving Businesses Licensure Board. (3) finally, the Board will not consider the memorandum of understanding since the law does not provide authority for them to do so. The law only provides for one number to be subtracted from another and the difference multiplied by five dollars (\$5.00) and remitted to the Bureau.

Mr. Jerome made a motion to allow the Board Chair, to work with the Bureau as the spokesperson while reaching out to State Department of Education (SDE), Idaho Transportation Department (ITD) and any other parties of interest. It was seconded by Ms. Phillips. Motion carried.

The Board discussed At Home Drivers Education, (i.e. Drive Right Book) which takes approximately 15 hours and virtual driving businesses which takes approximately 26 hours. Options were discussed and will be added to the next agenda. The Board will also add approval of split training apprenticeship, instructor sign off, and car and classroom to the agenda for the next meeting.

NEW BUSINESS

Correspondence from Driver Education and Training Administrators (DETA) was reviewed. No action was taken.

Fees for background checks were discussed. The Idaho State Police (ISP) is now charging \$37.00 for background checks. Mr. Jerome made a motion to change the application to reflect the current fee. It was seconded by Ms. Phillips. Motion carried.

NEXT MEETING will be scheduled when needed.

ADJOURNMENT

Mr. Jerome made a motion to adjourn the meeting at 3:45 p.m. It was seconded by Ms. Phillips. Motion carried.

Robert M Fenn, Chair

Jason Jerome

Lon A Pyper Sr

Sally K Phillips

Theresa A Bradford

Tana Cory, Bureau Chief